

IN THE UNITED STATES BANKRUPTCY COURT
District of Puerto Rico

In the Matter of:

ISMAEL RUIZ ROLON
MILAGROS MAGALIS ORTIZ GONZALEZ

Debtor(s)

Case No. **09-08536 ESL**

Chapter 13

MOTION TO RECONSIDER LIFT OF STAY

TO THE HONORABLE COURT:

The undersigned, attorney for the above-named debtor, notifies the Court as follows,

1. On Thursday 15, 2010 the court entered an order granting creditor Banco Popular de Puerto Rico the relief of stay regarding debtors residential property.
2. Creditor's motion was related to an unpaid balance of \$400.00 for post-petition arrears that moved creditor to file a motion for relief of stay. This balance was pending since the last hearing for lift of stay.
3. We are requesting a reconsideration for the following reasons:
 - a. On December 1, the undersigned informed office of creditor's attorney that debtors had turned in to our office a money order for said amount and we were only expecting debtors to correct the name on the money order that appear to be incorrect. We could not contact debtor to correct the apparent problem.
 - b. The reason debtors did not answer was that joint debtor had a stroke that paralyzed half of her body and was receiving urgent medical attention at the hospital.
 - c. We turned the money-order personally on Monday 7, December 2010 personally, but the motion that caused the lift of stay was filed on Friday 4, 2010 (copy of money order attached). We requested creditor's attorney to withdraw the motion, but the contact person at his office responded that according to the bank the mortgage account reflected new arrears (previous month and the current payment of December). We tried to contact debtors about the problem when the order granting the lift was entered.
 - d. We believe the issue that originated the motion for lift of stay was nonexistent by the time the order entered and the new arrears were unrelated to the motion for lift of stay.
 - e. Debtors' health situation put such a burden on them that reasonably requires a different treatment.

- f. We know that the court entered the order correctly as per the information at hand, but we believe that if debtors are granted 30 days they can solve the problem and continue with their home protected.

WHEREFORE, we respectfully request from this Honorable Court to take notice of the informed above and reconsider order granting relief of stay and allow debtors 30 days to bring current the new post-petition arrears.

I HEREBY CERTIFY, that the trustee and creditor Banco Popular are in the courts' electronic mailing list to receive copy of this document.

In Vega Baja, Puerto Rico, on this December 21, 2010.

S/ Juan O. Calderon Lithgow
JUAN O. CALDERON LITHGOW
ATTORNEY FOR DEBTOR, 205607
APARTADO 1710
VEGA BAJA, PR 00694-1710
TEL.: 858-5476

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WESTERN UNION	MONEY ORDER	WESTERN UNION FINANCIAL SERVICES INC. - ISSUER Englewood, Colorado
Payable at Wells Fargo Bank Grand Junction - Downtown, N.A., Grand Junction, Colorado		

14-190375247

4 124192 2 1 1710
1 1903 04
14-190375247 1 190002 \$ 400.00

PAY EXACTLY FOUR HUNDRED DOLLARS AND 00 CENTS

PAY TO THE ORDER OF B.P.P.P. PAYEE'S ACCOUNT #

PO Box 1209 Vega Bay PR 00654 Ismael Ruiz
PURCHASER'S ADDRESS PURCHASER'S SIGNATURE

⑆02100400⑆ 4014190375247⑈

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12/7/10
Rexel Holder